



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHENILLE MARTINO,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.
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: 09 Civ. 6479 (RJH) (DF)

: **SCHEDULING ORDER**
: **IN SOCIAL SECURITY CASE**

DEBRA FREEMAN, United States Magistrate Judge:

A complaint in this action having been filed on July 21, 2009 and an answer having been filed on December 31, 2009, it is hereby ORDERED that:

1. Defendant is directed to serve and file a motion for judgment on the pleadings on or before May 6, 2010. Plaintiff shall serve and file its opposition to the motion no later than June 7, 2010. Defendant shall serve and file its reply, if any, no later than July 7, 2010.

2. If Plaintiff wishes to cross-move for judgment on the pleadings, such cross-motion shall be submitted together with Plaintiff's opposition to Defendant's motion, no later than June 7, 2010. Defendant shall serve and file its opposition to any such cross-motion no later than July 7, 2010, and Plaintiff shall serve and file its reply, if any, no later than August 6, 2010.

3. Should Plaintiff fail to oppose Defendant's motion for judgment on the pleadings, this Court may recommend that the motion be granted by default.

Dated: New York, New York
April 5, 2010

SO ORDERED



DEBRA FREEMAN
United States Magistrate Judge

Copies To:

Hon. Richard J. Holwell
United States District Judge

Ms. Chenille Martino
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